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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,266	12/21/2001	Mario D'Amico	86052-6	4982
28291	7590	11/30/2004	EXAMINER	
FETHERSTONHAUGH - SMART & BIGGAR 1000 DE LA GAUCHETIERE WEST SUITE 3300 MONTREAL, QC H3B 4W5 CANADA			ZEENDER, FLORIAN M	
			ART UNIT	PAPER NUMBER
			3627	
DATE MAILED: 11/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/024,266

Applicant(s)

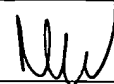
D'AMICO ET AL.

Examiner

F. Ryan Zeender

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1, 2, 5, 12, 16, 17, 32, 33, 34, and 46; it is not clear whether or not the information claimed as being "unrelated to billing-related information" refers to the same exact information as the previously claimed "billing-related information" or to separate distinct information, or to information that encompasses the information previously claimed.

### ***Claim Rejections - 35 USC § 102***

Claims 1, 16, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Tran '742.

Tran discloses or inherently teaches all of the limitations of the claims including: delivering information to a user from a computer prompting the user to enter information identifying a project, perform an action specifying a billing-related information, provide information not related to billing-related information (See, for example Figs. 11 and 12).

### ***Claim Rejections - 35 USC § 103***

Claims 2-15, 17-32, and 34-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran '742.

Tran disclose all of the limitations of the claims including: generating a first message including billing information (See for example Fig. 11, numeral "412"); generating a second message including information identifying a project and information associated to the project but unrelated to billing information (See for example Fig. 12, numeral "438"); but the reference lacks the specific teaching of sending the first message and second message to different destinations, specifically the second message to a knowledge database.

It would have been an obvious design choice to one of ordinary skill in the art at the time of the invention to have separate, but linked, databases for billing information and unrelated information (for example "Attendees"; numeral 438 in Tran) as is known in the art in order to separate personal notes from professional information or to provide a means for selective access to information.

Re claims 15, 29-31, 43-45: searching software is well known for their use with databases.

Re claims 18, 20-21, 35: It would have been an obvious design choice to one of ordinary skill in the art to have the CPU reside on a server machine in a network environment, as this type of arrangement is well known in order to have access and control by the server.

Re claim 24: Selecting destinations is well known in software (i.e., Microsoft Windows) in order to provide organization for data.

### ***Response to Arguments***

Applicant's arguments filed 8/18/2004 have been fully considered but they are not persuasive.

Applicant argues that Tran does not teach a service provider being prompted by the computer system to enter data associated with a particular project which is not billing-related. However, the Office disagrees in that Fig. 12 of Tran teaches a service provider being prompted by a computer system to enter data (i.e., Attendees, "438") which is associated to a particular project (432, 434, 436) but is not necessarily billing-related.

Regarding dependent claims 2-15, the applicant argues that "adding a new client record to the database in no way implies that the service provider has a project to complete for the new client". While this may be true, it is common knowledge that a "new client" may already be associated with a project, as evidenced by Tran, Col. 10, lines 45-52 (disclosure regarding "second supplement client information").

### ***Conclusion***

Applicant's amendment necessitated the new grounds of rejection and specific changes to the previously presented rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (703) 308-8351. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (703) 308-5183. The receptionist's phone number for the Technology center is (703) 308-1113.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9327 for after-final communications.

F. Zeender  
Primary Examiner, A.U. 3627  
November 24, 2004

 11/24/04  
F. RYAN ZEENDER  
PRIMARY EXAMINER